

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Dr. Patti Harrington
State Superintendent of Public Instruction

DATE: February 6, 2009

ACTION: R277-516 *Education Employee Required Reports of Arrests* (New)

Background: Current law and administrative rule require that public school employees with “significant unsupervised access to children” must undergo a background check prior to employment. Law also requires that law enforcement agencies report the arrest of educators to the USOE as well as to school districts and charter schools.

Staff has concern that the current reporting procedures may not result in the full flow of necessary information to ensure student and school safety and security. The rule proposed aims to provide greater protection to students and schools by establishing requirements that are within the Board’s purview.

Proposal: Staff will present the proposed rule to the Law and Policy Committee. The rule would require self reporting by public school employees and certain state employees of any arrest of that individual. Additionally, the rule would require self reporting of any moving traffic violation for public school employees who operate any vehicle in the course of the duties of their employment.

Anticipated Action: It is recommended that the Law and Policy Committee approve the new rule, R277-516 *Education Employee Required Reports of Arrests* on first reading and that the Board approve the rule on second reading.

Contact: Larry Shumway, 801-538-7762
Carol Lear, 801-538-7835